

The claimant is entitled to interest from the time his claim is filed. *Hensel v. Johnson*, 94 Md. 737; *German, etc., Church v. Heise*, 44 Md. 472.

After the expiration of the time within which the lien may be filed, the claim as filed can not be amended so as to change the location of the property. *Gault v. Wittman*, 34 Md. 36.

A lien claimant has an insurable interest in a building prior to the filing of his claim under this section. *Franklin Ins. Co. v. Coates*, 14 Md. 296; *Sodini v. Winter*, 32 Md. 133.

Cited but not construed in *McLaughlin v. Reinhart*, 54 Md. 76.

See sections 11 and 17 and notes.

1904, art. 63, sec. 24. 1888, art. 63, sec. 24. 1860, art. 61, sec. 24. 1838, ch. 205, sec. 14. 1868, ch. 23.

**24.** The proceedings to recover the amount of any lien under this article, whether upon a house, machine, wharf, bridge, boat or vessel, shall be by bill in equity or by *scire facias*.

Whether the one or the other course pointed out by this section to enforce the lien is adopted, the claim as filed is the foundation, and recovery is dependent upon a substantial compliance with the law. *Wehr v. Shryock*, 55 Md. 337.

In view of this section and section 14, the fact that the plaintiff's claim is less than twenty dollars, is immaterial. *Watts v. Whittington*, 48 Md. 357.

*Ibid.* sec. 25. 1888, art. 63, sec. 25. 1838, ch. 205, sec. 14.  
1860, art. 61, sec. 25.

**25.** If the proceeding is by bill in equity, the same proceedings shall be had as used by the courts of equity to enforce other liens and the court shall decree a sale and appoint a trustee to make sale thereof and shall apportion the proceeds of such sale among the persons entitled to liens according to their respective rights.

Proceedings for the enforcement of mechanics' liens are exclusively *in rem*; effect thereof. The court need not determine whether the party named as owner in the claim as filed is the real owner. *Shryock v. Hensel*, 95 Md. 626. And see *Kelly v. Gilbert*, 78 Md. 438; *Miller v. Barroll*, 14 Md. 183; *Carson v. White*, 6 Gill, 25. *Cf. McKim v. Mason*, 3 Md. Ch. 212.

Independent of the act of 1898, ch. 457, a husband should be made a party defendant to a bill in equity to enforce a mechanics' lien against the wife. *Clark v. Boarman*, 89 Md. 430.

For a case involving the enforcement of a lien by sureties, who guaranteed against liens, see *German, etc., Church v. Heise*, 44 Md. 476. See also, *Pinning v. Skipper*, 71 Md. 351.

Cited but not construed in *Ortwine v. Caskey*, 43 Md. 136.

*Ibid.* sec. 26. 1888, art. 63, sec. 26. 1860, art. 61, sec. 26.  
1838, ch. 205, sec. 14.

**26.** If the proceeding to enforce such lien is by *scire facias*, the *scire facias* shall recite the filing of the claim with the name of the owner of the property to be affected by the lien, the name of the claimant and the amount of claim and the date of filing the same, with the usual clause of *scire facias* to the persons to be affected by such writ.

Where a claim is filed for separate amounts against two different buildings, the two sums should not be blended in the writ and a lien for the whole claimed on each building. *Plummer v. Eckenrode*, 50 Md. 234.

An action under this section is not a suit for debt or damage, but a proceeding *in rem*. *Miller v. Barroll*, 14 Md. 184. And see *Shryock v. Hensel*, 95 Md. 626.

The *sci. fa.* notifies the defendant and gives him an opportunity of showing cause against enforcing the lien. *Kees v. Kerney*, 5 Md. 422.